

Notice of Allowability	Application No.	Applicant(s)	
	10/023,726	GRYAZNOV, DMITRY	
	Examiner	Art Unit	
	Kristin Derwich	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications received November 2, 2005.
2. ☒ The allowed claim(s) is/are 1,3,6-9,18,22,24,27-30,39,43,45,48-51 and 60-64.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. Claims 2, 4, 5, 10-17, 19-21, 23, 25, 26, 31-38, 40-42, 44, 46, 47 and 52-59 are cancelled. Claims 1, 3, 6-9, 18, 22, 24, 27-30, 39, 43, 45, 48-51 and 60-64 are pending.

Response to Arguments

2. Applicant's arguments, see pg. 12, 2nd paragraph, filed November 2, 2005, with respect to claims 1, 22 and 43 have been fully considered and are persuasive. The rejection of claims 1, 3, 6-9, 18, 22, 24, 27-30, 39, 43, 45, 48-51 and 60-64 has been withdrawn.

Allowable Subject Matter

3. Claims 1, 3, 6-9, 18, 22, 24, 27-30, 39, 43, 45, 48-51 and 60-64 allowed.
4. The following is an examiner's statement of reasons for allowance:

In reference to claims 1, 22 and 43:

Amendments to the claims overcome the prior art rejections made in the previous action. Applicant's arguments with respect to a plurality of different names associated with the same computer malware being displayed wherein each of the plurality of different names is generated by a plurality of anti-virus scanners were persuasive over the prior art. The prior art of record (Barton et al., U.S. 6,944,775) disclosed multiple anti-virus scanners used to identify the virus infecting the file that was currently being scanned. Barton failed to teach the multiple anti-virus scanners generating multiple names of the same virus infecting the file being scanned. However, after further search, Pak et al. (Pak), U.S. Patent No. 6,718,469, teaches a name field comprising

Art Unit: 2132

at least one name for the virus being identified meaning that there could be multiple names associated with the same virus, however, like Barton, both patents are owned by the same assignee of the instant application.

None of the other references cited in the prior action combine with Barton to disclose the amended limitations to claims 1, 22 and 43.

An updated search did not uncover any new prior art not owned by the same assignee of the instant application. No art disclosing, nor motivation to combine has been found which recites generating multiple names for the same virus from multiple anti-virus scanners. In the art of anti-virus scanning it is most prevalent to utilize multiple scanning engines in order to make the scanning process more efficient and thus identify the virus infecting the file being scanned.

All other pending claims are dependent on allowable claims 1, 22 and 43 and are allowable for that reason.

Because claims were cancelled and a new claim was added that depends from claim 1, the Examiner took the liberty to renumber the claims as follows:

Claim 3 is now claim 2.

Claims 6-9 are now claims 3-6 respectively.

Claim 18 is now claim 7.

Claim 64 is now claim 8.

Claim 22 is now claim 9.

Claim 24 is now claim 10.

Claims 27-30 are now claims 11-14 respectively.

Claim 39 is now claim 15.

Claim 43 is now claim 16.

Claim 45 is now claim 17.

Claims 48-51 are now claims 18-51 respectively.

Claims 60-63 are now claims 22-25 respectively.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristin Derwich whose telephone number is 571-272-7958. The examiner can normally be reached on Monday - Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

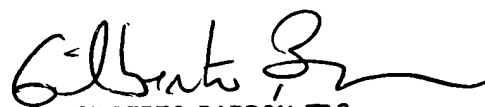
Art Unit: 2132

Kristin Derwich

Examiner

Art Unit 2132


KMD



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